

AMENDED IN ASSEMBLY JUNE 26, 2012

AMENDED IN SENATE MAY 29, 2012

AMENDED IN SENATE APRIL 9, 2012

SENATE BILL

No. 1193

Introduced by Senator Steinberg

February 22, 2012

An act to add Section 52.6 to the Civil Code, relating to human trafficking.

LEGISLATIVE COUNSEL'S DIGEST

SB 1193, as amended, Steinberg. Human trafficking: public posting requirements.

Existing law authorizes a victim of human trafficking, as defined, to bring a civil action for actual damages, compensatory damages, punitive damages, injunctive relief, any combination of those, or any other appropriate relief within 5 years of the date on which the trafficking victim was freed from the trafficking situation, or if the victim was a minor when the act of human trafficking against the victim occurred, within 8 years after the date the plaintiff attains the age of majority.

This bill would require specified businesses and other establishments, upon the availability of a model notice developed by the Department of Justice, to post a notice ~~that is at least 8 ½ inches by 11 inches in size, as specified,~~ that contains information related to slavery and human trafficking, including information related to specified nonprofit organizations that provide services in support of the elimination of slavery and human trafficking. The bill would require the establishments to post the notice in a conspicuous place near the entrance of the establishment or in another conspicuous location in clear view of the

public and employees where similar notices are customarily posted. The bill also would require the establishments to print the notice in English, Spanish, and in any other language that is the most widely spoken language in the county where the establishment is located and for which translation is mandated by the federal Voting Rights Act. The bill would require the Department of Justice, on or before April 1, 2013, to develop a model notice that complies with the above requirements and make the model notice available for download on the department's Internet Web site.

To the extent that the bill would impose additional duties on local government agencies, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 52.6 is added to the Civil Code, to read:
- 2 52.6. (a) Each of the following businesses and other
- 3 establishments shall, upon the availability of the model notice
- 4 described in subdivision (d), post a notice that complies with the
- 5 requirements of this section in a conspicuous place near the public
- 6 entrance of the establishment or in another conspicuous location
- 7 in clear view of the public and employees where similar notices
- 8 are customarily posted:
- 9 (1) On-sale general public premises licensees under the
- 10 Alcoholic Beverage Control Act (Division 9 (commencing with
- 11 Section 23000) of the Business and Professions Code).
- 12 (2) Adult or sexually oriented businesses, *as defined in*
- 13 *subdivision (a) of Section 318.5 of the Penal Code.*
- 14 ~~(3) Airports.~~
- 15 (3) *Primary airports, as defined in Section 47102(16) of Title*
- 16 *49 of the United States Code.*
- 17 (4) Intercity passenger rail or light rail stations.

1 (5) Bus stations.

2 (6) ~~Highway truck~~ Truck stops. *For purposes of this section,*
3 *“truck stop” means a privately owned and operated facility that*
4 *provides food, fuel, shower or other sanitary facilities, and lawful*
5 *overnight truck parking.*

6 (7) Emergency rooms within general acute care hospitals.

7 (8) Urgent care centers.

8 (9) Farm labor contractors, *as defined in subdivision (b) of*
9 *Section 1682 of the Labor Code.*

10 (10) Privately operated job recruitment centers.

11 (11) Roadside rest areas.

12 (12) ~~Massage businesses~~ *Businesses or establishments that offer*
13 *massage or bodywork services for compensation and are not*
14 *described in paragraph (1) of subdivision (b) of Section 4612 of*
15 *the Business and Professions Code.*

16 (b) The notice to be posted pursuant to subdivision (a) shall be
17 at least eight and one-half inches by 11 inches in size, *written in*
18 *a 16-point font*, and shall state the following:

19
20 “If you or someone you know is being forced to engage in any activity and
21 cannot leave—whether it is commercial sex, housework, farm work,
22 construction, factory, retail, or restaurant work, or any other activity—call the
23 National Human Trafficking Resource Center at 1-888-373-7888 or the
24 California Coalition to Abolish Slavery and Trafficking (CAST) at
25 1-888-KEY-2-FRE(EDOM) or 1-888-539-2373 to access help and services.

26
27 Victims of slavery and human trafficking are protected under United States
28 and California law.

29
30 The hotlines are:

- 31 · Available 24 hours a day, 7 days a week.
32 · Toll-free.
33 · Operated by nonprofit, nongovernmental organizations.
34 · Anonymous and confidential.
35 · Accessible in more than 160 languages.
36 · Able to provide help, referral to services, training, and general information.”
37

38 (c) The notice to be posted pursuant to subdivision (a) shall be
39 printed in English, Spanish, and in any other language that is the
40 most widely spoken language in the county where the establishment

1 is located and for which translation is mandated by the federal
2 Voting Rights Act (42 U.S.C. Sec. 1973 et seq.).

3 (d) On or before April 1, 2013, the Department of Justice shall
4 develop a model notice that complies with the requirements of this
5 section and make the model notice available for download on the
6 department's Internet Web site.

7 SEC. 2. If the Commission on State Mandates determines that
8 this act contains costs mandated by the state, reimbursement to
9 local agencies and school districts for those costs shall be made
10 pursuant to Part 7 (commencing with Section 17500) of Division
11 4 of Title 2 of the Government Code.